

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION**

-----X		
NATIONAL EVALUATION SYSTEMS,))	
INC.,))	
)	
Plaintiff,))	Civil Action No. 05-30081-KPN
)	
v.))	
)	
NES, LLC d/b/a NATIONAL))	
EDUCATIONAL SERVICE,))	
)	
Defendant.))	
-----X		

**DECLARATION OF LANA C. MARINA IN SUPPORT OF
DEFENDANT'S MOTION FOR EXTENSION
OF TIME TO FILE AN ANSWER OR OTHER RESPONSIVE PLEADING**

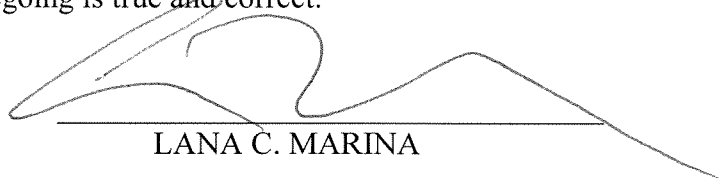
LANA C. MARINA declares under penalty of perjury that the following is true and correct:

1. I am a partner with the law firm of Winston & Strawn LLP, counsel for NES, LLC d/b/a National Educational Service, the Defendant in the above-captioned proceeding.
2. I make this declaration upon my personal knowledge and belief. I am submitting this declaration in support of Defendant's Motion for Extension of Time to File an Answer or Other Responsive Pleading.
3. The parties have exchanged a number of versions of a settlement agreement to resolve the above-captioned matter.

4. By an electronic mail message dated May 2, 2005 to Donald S. Holland, counsel for Plaintiff, I requested Plaintiff's consent to a 20-day extension of time for Defendant to file an answer in view of the parties' ongoing settlement discussions. In an electronic mail message to me dated May 3, 2005, Mr. Holland refused to consent to the requested extension.

5. LANA C. MARINA, pursuant to the provisions of 28 U.S.C. § 1746, hereby declares under the penalty of perjury that the foregoing is true and correct.

Dated: May 5, 2005



LANA C. MARINA